



General Assembly

Amendment

January Session, 2011

LCO No. 5199

HB0640605199HD0

Offered by:

REP. ZALASKI, 81st Dist.

SEN. PRAGUE, 19th Dist.

To: Subst. House Bill No. 6406

File No. 144

Cal. No. 97

**"AN ACT CONCERNING EMPLOYER'S RESPONSIBILITIES AND
EMPLOYEE RIGHTS."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. (NEW) (*Effective October 1, 2011*) (a) No employer shall
4 discharge, discipline, penalize or in any manner discriminate against
5 any employee because the employee (1) notified his or her employer
6 that he or she intends to use sick leave, or (2) used sick leave, provided
7 such notification or use of sick leave is in accordance with the terms of
8 a collective bargaining agreement, employment contract or the
9 employer's policy for the use of such leave.

10 (b) Any employee who believes that such employee has been
11 discharged, disciplined, penalized or otherwise discriminated against
12 by any person in violation of this section may file a complaint with the
13 Labor Commissioner alleging violation of the provisions of subsection
14 (a) of this section. Upon receipt of any such complaint, the

15 commissioner may hold a hearing. After the hearing, the commissioner
 16 shall send each party a written copy of the commissioner's decision.
 17 The commissioner may award the employee all appropriate relief
 18 including rehiring or reinstatement to such employee's previous job,
 19 payment of back wages and reestablishment of employee benefits to
 20 which such employee otherwise would have been eligible if such
 21 employee had not been discharged, disciplined, penalized or
 22 discriminated against. Any employee who prevails in such a complaint
 23 shall be awarded reasonable attorney's fees and costs. Any party
 24 aggrieved by the decision of the commissioner may appeal the
 25 decision to the Superior Court in accordance with the provisions of
 26 chapter 54 of the general statutes.

27 (c) The commissioner may request the Attorney General to bring an
 28 action in the Superior Court for injunctive relief requiring compliance
 29 with any award, decision or judgment issued by the commissioner
 30 under this section."

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2011	New section